



# MIAMI BEACH

## PLANNING DEPARTMENT

### PLANNING BOARD

#### After Action

July 29, 2008

#### I. **Workshop Discussion of Planning Issues**

##### Short Term and Seasonal Rentals -Single Family Homes

The Board heard extensive public comment. Issues included duration; frequency; specific single family neighborhoods; i.e., RS-1 districts and islands such as Palm, Hibiscus and the Sunsets; homesteaded properties; whether it should be a codification issue or an enforcement issue for Code Compliance to handle, etc. Often competing views expressed by speakers and shared by board members included property owners' rights, vs. residents' rights and impact on neighborhood quality of life; the need for options for visitors who want to stay in a home (away from home) as opposed to a hotel; short-term/seasonal rentals as a means of generating income for some homeowners who don't live here all year round and the real estate management companies who handle the logistics; the economic impact on the community; possible restrictions, permitting, licensing; and how other communities nationwide are handling the issue. The discussion will be continued at the August meeting.

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#### II. After Action report – June 24, 2008 meeting

Motion: Stolar/Fryd/. Vote: 7-0. Approve.

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#### III. **Items for Continuance/Withdrawal**

**File No. 1872 – 6876 Collins Avenue.** The applicant, Publix Supermarkets, Inc. is requesting a Conditional Use approval to redevelop the property where it is currently located into a new state-of-the-art, hurricane-proof store greater than 50,000 gross square feet. (Continuance)

Motion: Fryd/Kuper. Vote: 7-0. Continue to the August meeting.

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**File No. 1882 - 1333 18<sup>th</sup> Street - Lot Split.** The applicant, Midland Trading II, Inc., is requesting to divide and L-shaped parcel of land consisting of two platted lots into two separate parcels in order to develop a new The Fresh Market grocery store with two levels of parking. This lot split is required in order to separate a parcel that is not included in The Fresh Market development. (continuance)

Motion: Stolar/Kuperman. Vote: 7-0. Continue to the August meeting.

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#### IV. **Public Hearings**

##### A. **Progress Reports**

**File No. 1869 – 630 Alton Road.** The applicant, Associated Parking Systems, Inc., is

requesting a Conditional Use permit to use 100 underutilized spaces, out of a total of 273 in the existing parking garage of the South Shore Hospital for valet storage of vehicles on a 24-hour basis.

Motion: Stolar/Kuper. Vote 7-0. Progress Report in 30 days (August meeting). Applicant not operating yet. Also, clarify conditions further.

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## **B. Previously Continued Items**

**File No. 1877 - Ordinance Codifying the Planning Director's Interpretation of the City Code.** An Ordinance of the Mayor and City Commission of the City Of Miami Beach, Florida, amending the Miami Beach City Code, Part B Land Development Regulations, Chapter 142, "Zoning Districts and Regulations," by amending Division 2, "RS-1, RS-2, RS-3 and RS-4 Single-Family Residential Districts," by amending Section 142-905, "Permitted Accessory Uses in Single-Family Districts," by adding new Subsection (B)(5) Limiting Leases of Single Family Homes to a Minimum of Six Months and One Day, to codify the Planning Director's Interpretation of the City Code; Providing for Repealer, Severability, Codification and an Effective Date.

Motion: Fryd/Stolar. Vote 4-3. Continue to the August meeting and incorporate into the record all the testimony and discussion that took place at today's workshop.

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**File No. 1878 - Ordinance - Seasonal rental of single-family homes.** An Ordinance of the Mayor and City Commission of the City Of Miami Beach, Florida, amending Chapter 142 of the City Code, "Zoning Districts and Regulations," by amending Division 2, "RS-1, RS-2, RS-3 and RS-4 Single-Family Residential Districts," by adding new Section 142-110 to be entitled "Seasonal Rentals of Single Family Homes;" Providing for Repealer, Nonseverability, Codification, and an Effective Date.

Motion: Fryd/Stolar. Vote 4-3. Continue to the August meeting and incorporate into the record all the testimony and discussion that took place at today's workshop.

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**File No. 1795 – 1681 – 1683 West Avenue.** The applicant, 1681 West Avenue LLC is requesting a modification to a previously approved Conditional Use Permit in order to aggregate two of the retail spaces to accommodate a restaurant.

Motion: Stolar/Weisburd. Vote: 5-0. Fryd and Kruszewski recused. Approve as recommended by staff.

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**File No. 1726 - 717-721 Washington Avenue - INK.** Mach 9, LLC, d/b/a Ora, the new owner/operator of the establishment previously known as INK, is requesting a modification to the existing Conditional Use Permit as required by Condition No. 2 of the Permit which states that "any change of operator or ownership shall require review and approval by the Planning Board as a modification to this Conditional Use Permit." Staff note: **No action will be necessary. The place is closed.**

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## **Proposed amendments to the Planning Board By-Laws.**

Amendments were read by Mr. Stolar. Board directed staff to do the revisions and come back to the August meeting with a final draft.

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## **C. New Applications**

1. **File No. 1881- Lot Split Review Criteria.** An Ordinance of the Mayor and City Commission of the City of Miami Beach amending City Code Chapter 118, "Administration and Review Procedures," Article VII, "Division of Land/Lot Split," Section 118-321, "Purpose, Standards And Procedures," by clarifying the Review Criteria for requests for a Division of Land/Lot Split to require an applicant to submit massing and scale studies of possible structures and uses on the lot or lots proposed to result from Lot Splits; Providing for Repealer, Severability, Codification and an Effective Date.

Motion: Fryd/Stolar. Vote: 7-0. Continue to the August meeting.

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2. **File No. 1840 - 2301 Collins Avenue (a/k/a 2377 Collins Avenue), Gansevoort Hotel.** Revocation public hearing for violation issued for noise during the operation of the rooftop pool and bar.

Motion: Weisburd/Fryd. Vote: 7-0. Take 60 days to continue to work things out with neighbors, but come back to the August meeting with a progress report.

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3. **File No. 1874 – 1800 West Avenue.** The Fresh Market, Inc. is requesting a Conditional Use Permit to redevelop the site into a quality grocery store greater than 50,000 gross square feet.

Motion: Appel/Stolar. Vote: 6-0. (Fryd absent). Continue to the August meeting.

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4. **File No. 1879 – 1228 West Avenue.** The applicant, Bayview Terrace Association, is requesting Conditional Use approval to rebuild in the same location as it existed in the past a boat dock consisting of 5 slips and 12 mooring piles projecting a total of 71 feet waterward from the existing seawall, for the exclusive use of the unit owners.

Continue to the August meeting so Bay walk issues can be worked out.

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5. **File No. 1880 – 2200 Verdun Drive.** The applicant, Casa dei Bambini Montessori School, Inc., is requesting a Conditional Use permit to open a second campus in a single family home for an estimated group of 30 students, including toddlers and pre-K age children.

Motion: Stolar/Weisburd. Vote: 4-1. (Fryd and Kuperman absent). Continue to the August meeting.

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#### V. Meetings Reminder / New Business

\*\*\* Next Month's Regular Meeting: TUESDAY, August 26, 2008 at 1:30 p.m. for the regular agenda, unless otherwise changed in consultation with the Chairperson depending on the length of the agenda. Please mark your calendars and inform staff if you have a schedule conflict.

#### VI. Adjournment

Planning Board members: Remember to save the plans and backup materials from items that were continued or deferred; the Planning Department does not have any additional copies.